

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ROBERT ELLIOT HENSHAW,

Petitioner,

v.

CASE NO. 2:07-CV-15058
HONORABLE PAUL D. BORMAN

MARY BERGHUIS,

Respondent.

_____ /

ORDER DENYING PETITIONER'S MOTION FOR ORAL ARGUMENT

This matter is before the Court on Petitioner's motion for oral argument. Petitioner, through counsel, has submitted his habeas petition and Respondent has recently filed an answer to the petition and the state court record. The Court has discretion to conduct an evidentiary hearing after the filing of the petition, answer, and Rule 5 materials. *See* Rule 8, 28 U.S.C. foll. § 2254. Upon initial review of those materials, the Court concludes that oral argument is unwarranted. Accordingly, the Court **DENIES** Petitioner's motion for oral argument. The Court will bear in mind Petitioner's request if, upon further review of the pleadings, the Court determines that oral argument is necessary. Petitioner need not file an additional motion concerning this issue.

IT IS SO ORDERED.

s/Paul D. Borman

PAUL D. BORMAN

UNITED STATES DISTRICT JUDGE

Dated: July 30, 2008

CERTIFICATE OF SERVICE

Copies of this Order were served on the attorneys of record by electronic means or U.S. Mail on July 30, 2008.

s/Denise Goodine

Case Manager